



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: April 28, 2008

COUNCIL DISTRICT: 3
SNI AREA: N/A

SUBJECT: GP07-03-04/GPT07-03-04. GENERAL PLAN AND SPECIFIC PLAN AMENDMENTS TO CHANGE THE JACKSON-TAYLOR PLANNED RESIDENTIAL COMMUNITY SPECIFIC LAND USE PLAN FROM MIXED USE 2 AND PUBLIC PARK/OPEN SPACE TO MIXED USE 2A AND TO CHANGE THE TEXT OF THE GENERAL PLAN AND JACKSON-TAYLOR RESIDENTIAL STRATEGY TO ALLOW (1) UP TO 600 MULTIPLE-DWELLING UNITS, (2) 16,000 TO 30,000 SQUARE FEET OF GROUND-FLOOR RETAIL SPACE, (3) 10,000 TO 20,000 SQUARE FEET OF COMMUNITY AMENITY SPACE, AND (4) AN INCREASE IN HEIGHT FROM 65 TO 175 FEET ON A 5.78 ACRE SITE.

RECOMMENDATION

The Planning Commission voted 5-0-2 (Campos and Zito absent) to find that the Final Environmental Impact Report (EIR) prepared for this project has been completed in compliance with and conforms to the requirements of CEQA and reflects the City's independent judgment and analysis. The Planning Commission further directed staff 1) to forward and present the certified Final EIR to the City Council for review and consideration; 2) recommend approval of the General Plan and Specific Plan amendments to change the Jackson-Taylor Planned Residential Community Specific Land Use Plan from Mixed Use 2 and Public Park/Open Space to Mixed Use 2A and to change the text of the General Plan and Jackson-Taylor Residential Strategy to allow (1) up to 600 multiple-dwelling units, (2) 16,000 to 30,000 square feet of ground-floor retail space, (3) 10,000 to 20,000 square feet of community amenity space, and (4) an increase in height from 65 to 175 feet on a 5.78 acre site on the block bounded by East Jackson Street, North 6th Street, East Taylor Street, and North 7th Street.

OUTCOME

Approval of this General Plan land use amendment and text amendments to the General Plan and Jackson-Taylor Residential Strategy will facilitate a mixed-use project on the former City of San Jose Corporation Yard site. Currently, the Mixed Use designation in the Jackson-Taylor Residential Strategy and the Mixed Use 2 designation in the San José 2020 General Plan indicate a residential density range for this site of between 25 and 50 dwelling units per acre.

Approval of these General Plan and Specific Plan amendments would allow approximately 160 dwelling units per acre, or up to 600 dwelling units. The existing designation of Mixed Use 2 allows

between 33,000 and 53,750 square feet of retail. In the proposed scenario, the retail square footage would remain essentially the same as in the existing plan, except that Mixed Use 2 would be broken up into Mixed Use 2 (17,000 to 23,750 square feet of retail) and Mixed Use 2a (16,000 to 30,000 square feet of retail). Mixed Use 2 covers the site to the south of the Corporation Yard site, currently developed with the Miraido Village mixed-use project. Mixed Use 2a will cover the Corporation Site only. The aggregate retail numbers remain constant with what was previously approved in the San José 2020 General Plan for Mixed Use 2. The proposed amendment will also increase the height limit from 65 feet to 175 feet, which could accommodate up to 14 stories. The proposed amendment also includes between 10,000 and 20,000 square feet of community amenity space.

BACKGROUND

On April 21, 2008, the Planning Commission held a public hearing to consider the following items:

- 1) Certification of a Final EIR prepared for the Japantown Corporation Yard Redevelopment Projects amendment (File Nos. GP07-03-04/GPT07-03-04, PDC07-073, and PDC08-010);
- 2) General Plan and Specific Plan amendments to change the Jackson-Taylor Planned Residential Community Specific Land Use Plan from Mixed Use 2 and Public Park/Open Space to Mixed Use 2A and to change the text of the General Plan and Jackson-Taylor Residential Strategy to allow (1) up to 600 multiple-dwelling units, (2) 16,000 to 30,000 square feet of ground-floor retail space, (3) 10,000 to 20,000 square feet of community amenity space, and (4) an increase in height from 65 to 175 feet on a 5.78 acre site on the block bounded by East Jackson Street, North 6th Street, East Taylor Street, and North 7th Street.

Staff presented a summary of the findings of the EIR, identifying that significant unavoidable impacts would result from transportation and air quality, and significant impacts with available mitigation include impacts from noise, geology, soils and seismicity, hydrology and water quality, hazards and hazardous materials, cultural and paleontological resources, visual resources, and utilities.

Staff then presented a brief summary of the proposed amendments to the General Plan and Jackson-Taylor Residential Strategy. The applicant, Trevor Rowe, of Williams and Dame Development Corporation, gave a brief presentation on the project's compatibility with General Plan goals and policies for the area.

Seven members of the public spoke on the item. Rodney Lum spoke as a representative of the Japantown Community Congress and thanked the City for providing the public with a chance to participate in the archaeological digging on the site, and stated that he supports the proposed project to help restore lost history and revitalize Japantown.

Dr. Jerry Hiura, a long time business owner in Japantown, indicated that he had been participating in the community process for the project for over two years, and that the work of City staff has been exemplary in the process. He stated that he considers Williams and Dame to be an exemplary developer, which alleviates some of his fears about density. He also asked for staff to continue to look at traffic and parking issues.

Don Gagliardi, president of the 13th Street NAC, stated his support for the project. He noted that he had been involved since 1999 and had been to all of the community meetings offered by the City and the developer. He said that Japantown is a jewel in San José, and that the community needs to be reinvigorated through this project.

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William Lambson, president of the Japantown Neighborhood Association, stated that he was pleased with the City's outreach efforts, and that the neighborhood still has concerns about traffic, parking, safety, shadows cast by the new buildings, and potential future development that would be attracted to the neighborhood because of this project. He stated that the community wants 30,000 square feet of commercial space and that parking is a huge issue.

John Ristow, a resident of the Japantown neighborhood, said he supports the project, and that he appreciates the enormous amount of time that City staff and his neighbors have dedicated to the project. He said he is encouraged by what he saw in the developer's previous work, and that he supports the highest density possible on the site, because density supports Japantown.

Erik Schoennauer, a resident of an adjacent community, said he was very supportive of the project. He stated that he moved downtown because of the promise of projects like this, and that the community needs this to sustain commercial development on North 1st Street, Japantown, and 13th Street. He said future development should maximize the unit count and the retail square footage.

Helen Hayashi, a resident of the neighborhood, indicated that this is more than a project; it is a place. She asked the Commission to help with the cultural preservation of Japantown by approving this proposal.

The applicant then stated that he was humbled by all of the neighbors who were so invested in the project. He said he had heard the community's comments on parking issues, and that he would be back to discuss those issues during the Planned Development Zoning phase of the project, should these proposed amendments be approved by City Council.

Commissioner Kamkar asked the applicant what he had agreed to on parking ratios, and if he would consider two spaces per unit. The applicant responded that the discussion was ongoing with City staff and the community, and no agreement had been made. The Commission then closed public hearing.

Chair Kalra asked staff if there had been any studies done on massing and height. Staff responded that a shade and shadow study had been done as part of the Environmental Impact Report, and that no significant effects would result from the project. Chair Kalra then asked if the EIR included a discussion on impacts to the intersection of Taylor and First Streets. Staff responded that the project would result in a significant unavoidable impact to this intersection and two others, but that all three are protected intersections under the City's adopted Level of Service Policy.

Commissioner Jensen made a motion that the Planning Commission find that the Final EIR prepared for this project is completed in compliance with the requirements of CEQA and reflects the City's independent judgment and analysis, and further direct staff to forward and present the certified Final EIR to the City Council for review and consideration. Commissioner Platten seconded the motion. The motion passed 5-0-2 (Commissioners Campos and Zito absent).

Commissioner Jensen then made a motion that the Planning Commission recommend approval of the proposal as recommended by staff. Commissioner Platten seconded the motion, and stated that he commends the community and staff for their efforts. Commissioner Kamkar also congratulated the community and the developer, and asked that the developer respond to the community's request for increase parking. Commissioner Kinman also commended the community and staff. Commission Kalra stated that the EIR was done well, and congratulated staff and the community. The motion passed 5-0-2 (Commissioners Campos and Zito absent).

ANALYSIS

See attached staff report.

EVALUATION AND FOLLOW-UP

Not applicable.

POLICY ALTERNATIVES

Alternative 1: Approval of an amendment that includes less density and lower building heights.

Pros: This would be a smaller project, which would be a less dramatic difference in height from the surrounding properties.

Cons: Potential hardship of future retail spaces because of fewer customers to sustain it, and less ability to provide community amenities on the part of the developer because of smaller returns on units.

Reason for not recommending: Planning staff believes that the proposed amendments could result in a project that meets the objectives of revitalizing the businesses and bringing new residents to Japantown, but that the proposed density is crucial to achieve this objective.

Alternative 2: Denial of the proposed amendments.

Pros: None of the significant unavoidable impacts stated in the EIR would result.

Cons: Development of the former Corporation Yard site would be restricted to the concept presented in the current Jackson-Taylor Residential Strategy.

Reason for not recommending: The community has stated a desire for revitalization of the Japantown Neighborhood Business District. The current concept in the Jackson-Taylor Residential Strategy does not provide the residential density or retail requirement high enough to act as a catalyst for neighborhood revitalization.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. The property owners and occupants located within a 1,000-foot radius of the subject sites were mailed a notice informing them about a community meeting that was held on November 13, 2007, and a separate community meeting held on April 2, 2008. This project has been part of a concentrated community process for a period exceeding two years. A sign was posted on both sites to notify neighbors of the proposed General Plan and Specific Plan amendments. Notice of the Spring 2008 hearings on the General Plan was published in the San José Post-Record. A

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description of the proposed General Plan amendment was posted on the Planning Division web page. The General Plan and Specific Plan amendments were presented at the Neighborhood Roundtable on February 12, 2008 and at the Developers Roundtable on February 15, 2008 for review and comment. This memo will be posted on the City's website. Staff has also been available to answer questions.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department, Redevelopment Agency, Housing Department, and the City Attorney.

FISCAL/POLICY ALIGNMENT

This project is consistent with applicable General Plan policies as further discussed in attached staff report.

COST SUMMARY/IMPLICATIONS

Not applicable.

BUDGET REFERENCE

Not applicable.

CEQA

CEQA: Final Environmental Impact Report, certified by Planning Commission on April 21, 2008.

For 
JOSEPH HORWEDEL, SECRETARY
Planning Commission

For questions please contact Jeannie Hamilton at 408-535-7850.